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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,795	10/30/2003	Christopher Murray	0275R-000596/CPB	1155
27572	7590	11/02/2005	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C.			PHAM, THOMAS K	
P.O. BOX 828			ART UNIT	
BLOOMFIELD HILLS, MI 48303			PAPER NUMBER	

2121

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/697,795	Applicant(s) MURRAY ET AL.	
	Examiner Thomas K. Pham	Art Unit 2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

First Action on the Merits

1. Claims 1-16 of U.S. Application 10/697,795 filed on 10/30/2003 are presented for examination.

Quotations of U.S. Code Title 35

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Double Patenting

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Copending Application 10/418,022	Instant Application 10/697,795
8. <u>A home automation system comprising:</u> - <u>a plurality of remotely controlled switches, each of the remotely controlled switches being settable to a selected device address;</u>	1. <u>A home automation system comprising:</u> - <u>a plurality of remotely controlled switches, each of the remotely controlled switches being settable to a selected device address;</u>
- <u>a messenger hub that is configured to transmit messages through an electrical power line for controlling the remotely controlled switches; and</u>	- <u>a messenger hub that is configured to transmit messages through an electrical power line for controlling the remotely controlled switches; and</u>
- <u>a hand-held remote transmitter for transmitting commands to the messenger hub, the messenger hub being responsive to the commands to activate one or more of the remotely controlled switches.</u>	- <u>a hand-held remote transmitter for selectively transmitting commands to the messenger hub and one or more home electronic devices through electromagnetic wave signals, the messenger hub being responsive to a corresponding portion of the commands to activate one or more of the remotely controlled switches, the home</u>

	electronic devices being responsive to another corresponding portion of the commands to selectively operate the home electronic devices,
- <u>the hand-held remote transmitter including: a first switch having a plurality of zones, each of the zones being associated with a set of device addresses, the first switch being selectively positionable into a desired zone, the set of device addresses including one or more of the device addresses to which the remotely controlled switches may be set; and</u>	- <u>the hand-held remote transmitter including: a first switch having a plurality of zones, each of the zones being associated with a set of device addresses, the first switch being selectively positionable into a desired zone, the set of device addresses including one or more of the device addresses to which the remotely controlled switches may be set;</u>
- <u>at least one second switch, each second switch being associated with a single device address in the set of device addresses such that operation of one of the second switches causes the hand-held remote transmitter to generate a command that causes the messenger hub to generate a message to activate any remotely controlled switch that has been set to a device address corresponding to the single device address.</u>	- <u>at least one second switch, each second switch being associated with a single device address in the set of device addresses in response to the positioning of the first switch into a desired zone such that operation of one of the second switches causes the hand-held remote transmitter to generate a command that causes the messenger hub to generate a message to activate any remotely controlled switch that has been set to a device address corresponding to the single device address;</u>
	- a plurality of mode selector buttons each corresponding to an associated one of the home electronic devices; and

	<ul style="list-style-type: none">- a plurality of feature control buttons, wherein operation of one of the mode selector button associates at least a portion of the feature control buttons with a given one of the home electronic devices to thereby permit a user to operate the given home electronic device.
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6. A question of patentability is raised with respect to representative claim 1 of the instant application under the judicially created doctrine of “obviousness-type” double patenting with respect to claim 8 of copending Application No. 10/418,022 and U.S. Patent No. 4,200,862 to Campbell et al. (hereinafter Campbell).

According to the table above, the missing limitations are disclosed in the Campbell reference (USPN 4,200,862).

The Campbell reference discloses a home automation system that control a variety of appliances, lighting and other equipment in a home by transmitting signal over a power line network (see abstract and FIG. 1). The controlling device includes association between a plurality of mode selector buttons (see col. 4 lines 48-50, “... the number keys 1 to 16”) and a plurality of feature control buttons (see col. 4 lines 50-51, “the operations keys DIM, ON, OFF, CLEAR, BRIGHTEN, and ALL”) with a given one of the home electronic devices to let user operate the home electronic device (see FIG. 1). It would have been obvious to include the plurality of buttons for controlling the home devices of Campbell for all the reasons disclosed by Campbell such as in col. 1 lines 54-57, “... producing a digital operation signal representing the defined operation ...”.

Copen ding Application 10/418,022	Instant Application 10/697,795
<p>6. <u>A home automation system comprising:</u></p> <ul style="list-style-type: none">- <u>a messenger hub having a power input portion and a controller, the power input portion of the messenger hub including a pair of terminals that are adapted for coupling to an electrical power line, the controller of the messenger hub being configured to selectively generate an electronic message that is transmitted through the electrical power line; and</u>	<p>12. <u>A home automation system comprising:</u></p> <ul style="list-style-type: none">- <u>a messenger hub having a power input portion and a controller, the power input portion of the messenger hub including a pair of terminals that are adapted for coupling to an electrical power line, the controller of the messenger hub being configured to selectively generate an electronic message that is transmitted through the electrical power line; and</u>
<ul style="list-style-type: none">- <u>a remotely controlled switch having a power input portion, a power output portion, a controller and a housing, the power input portion of the remotely controlled switch including a pair of terminals that are adapted for coupling to an electrical power line and receiving the electronic message, the controller of the remotely controlled switch being coupled to the power input portion of the remotely controlled switch and configured to</u>	<ul style="list-style-type: none">- <u>a remotely controlled outdoor switch having a power input portion, a power output portion, a controller and a sealed housing, the power input portion of the remotely controlled outdoor switch including a pair of terminals that are adapted for coupling to an electrical power line and receiving the electronic message, the controller of the remotely controlled outdoor switch being coupled to the power input portion of the remotely controlled</u>

<u>selectively enable or disable transmission of electrical power between the power input portion of the remotely controlled switch and the power output portion in response to the electronic message</u> , the housing having first and second portions, which cooperate to define a cavity into which the controller of the remotely controlled switch is housed, and <u>a seal member</u> that is disposed between the first and second portions.	outdoor <u>switch and configured to selectively enable or disable transmission of electrical power between the power input portion of the remotely controlled switch and the power output portion in response to the electronic message</u> , wherein the controller address and device address of the outdoor switch are programmed by the electronic message.
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7. A question of patentability is raised with respect to representative claim 12 of the instant application under the judicially created doctrine of “obviousness-type” double patenting with respect to claim 6 of copending Application No. 10/418,022 and U.S. Patent No. 4,200,862 to Campbell et al. (hereinafter Campbell).

The copending application includes a limitation that involves “a seal member that disposed between the first and second portions” of the housing. On the other hand, the instant application includes a limitation that involve a remote control “outdoor” switch that has “a seal housing”. It would have been obvious that the purpose of the seal member of the copending application and the seal housing of the instant application are for the same purpose of protecting

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the interior component from moisture or other environmental contaminants so that an electronic device can be use “outdoor”.

In addition, the Campbell reference discloses a home automation system that control a variety of appliances, lighting and other equipment in a home by transmitting signal over a power line network (see abstract and FIG. 1). A transmitter (messenger hub) programmed the slave unit (receiver) with an address represents a device and an address represents of a controller (house code) in order to operate a device (see col. 2 lines 41-51, “... the unit comprising means for receiving a signal defining a slave unit address and an appliance operation ...). It would have been obvious to use the transmitter for programming the slave units to control a home device of Campbell for all the reason discloses by Campbell such as in see column 3 lines 15-18, “for producing a signal for controlling the control device in dependence upon the defined appliance operation when correspondence of addresses is found”.

This is a provisional obviousness-type double patenting rejection.

Claim Rejections - 35 USC § 103

8. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,331,813 (“Belliveau”) in view U.S. Patent No. 4,200,862 (“Campbell”).

Regarding claim 1

Belliveau teaches a home automation system comprising:

- a plurality of remotely controlled switches, each of the remotely controlled switches being settable to a selected device address (see FIG. 1 and col. 4 lines 26-41, “The house

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address selector 102 on the appliance device 100 ... set to letter "A" ... number unit address selector 106 set to "1" ...");

- a messenger hub see FIG. 2 and col. 3 line 64 "control device 200") that is configured to transmit messages through an electrical power line for controlling the remotely controlled switches (see col. 2 lines 7-20, "The power line may supply a primary signal ... The control device ... to a first power outlet ... first lighting device ... to a second power outlet ...").

Belliveau does not teach a hand-held remote transmitter for selectively transmitting commands to the messenger hub and one or more home electronic devices through electromagnetic wave signals, the messenger hub being responsive to a corresponding portion of the commands to activate one or more of the remotely controlled switches, the home electronic devices being responsive to another corresponding portion of the commands to selectively operate the home electronic devices, the hand-held remote transmitter including:

- a first switch having a plurality of zones, each of the zones being associated with a set of device addresses, the first switch being selectively positionable into a desired zone, the set of device addresses including one or more of the device addresses to which the remotely controlled switches may be set;
- at least one second switch, each second switch being associated with a single device address in the set of device addresses in response to the positioning of the first switch into a desired zone such that operation of one of the second switches causes the hand-held remote transmitter to generate a command that causes the messenger hub to generate a

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message to activate any remotely controlled switch that has been set to a device address corresponding to the single device address;

- a plurality of mode selector buttons each corresponding to an associated one of the home electronic devices; and
- a plurality of feature control buttons, wherein operation of one of the mode selector button associates at least a portion of the feature control buttons with a given one of the home electronic devices to thereby permit a user to operate the given home electronic device.

However, Campbell teaches a hand-held remote transmitter (“hand held transmitter 2”) for selectively transmitting commands to the messenger hub (“transmitter 1”) and one or more home electronic devices through electromagnetic wave signals (“slave units 3, 4, 5”), the messenger hub being responsive to a corresponding portion of the commands to activate one or more of the remotely controlled switches (see col. 4 lines 35-45), the home electronic devices being responsive to another corresponding portion of the commands to selectively operate the home electronic devices (see col. 3 lines 62-68), the hand-held remote transmitter including: a first switch having a plurality of zones (“house code”), each of the zones being associated with a set of device addresses, the first switch being selectively positionable into a desired zone (“rotary switch 7”), the set of device addresses including one or more of the device addresses to which the remotely controlled switches may be set (see col. 4 lines 7-13, “house code”); at least one second switch (“rotary switch 8”), each second switch being associated with a single device address in the set of device addresses in response to the positioning of the first switch into a desired zone such that operation of one of the second switches causes the hand-held remote

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transmitter to generate a command that (“appliance code”) causes the messenger hub to generate a message to activate any remotely controlled switch that has been set to a device address corresponding to the single device address (see col. 4 lines 4-6 and 14-31 and 35-45, “... Handset 2 transmits the appliance and operation codes to the transmitter unit 1 ...”); a plurality of mode selector buttons each corresponding to an associated one of the home electronic devices (see FIG. 1 “number keys 1-16”); and a plurality of feature control buttons (see FIG. 1 and col. 4 lines 50-51, “the operation keys DIM, ... BRIGHTEN ...”), wherein operation of one of the mode selector button associates at least a portion of the feature control buttons with a given one of the home electronic devices to thereby permit a user to operate the given home electronic device (see col. 4 lines 38-45) for the purpose of controlling the remote controlled switches remotely within an ultrasonic range for convenience to the users.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the hand-held transmitter of Campbell with the system of Belliveau because it would provide for the purpose of controlling the remote controlled switches remotely within an ultrasonic range for convenience to the users.

Regarding claim 2

Belliveau teaches wherein changing the first switch to another desired zone associates each second switch with a different set of device address (see FIG. 1 “house selector 102”, FIG. 2 “house selector 206”, and col. 4 lines 26-31, “house selector 206 can be switch to different letter for different zone”).

Regarding claim 3

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Belliveau teaches the first switch is a rotary switch (see FIG. 1 “selector 102”, FIG. 2 “selector 206”).

Regarding claim 4

Belliveau teaches a maximum quantity of device addresses that may be included in the set of device addresses is equal to a quantity of the second switches (see FIG. 1 “selector 106” has a maximum of 16 device addresses).

Regarding claim 5

Belliveau teaches wherein the set of device addresses associated with the desired zone includes only one device address and each of the second switches is associated with the only one device address (see col. 4 lines 25-36).

Regarding claim 6

Campbell teaches the hand-held remote transmitter further comprises a zone switch (“rotary switch 7”), the zone switch being associated with each of the device addresses in the set of device addresses such that operation of the zone switch causes the hand-held remote transmitter to generate a command that causes the messenger hub to generate at least one message to activate any remotely controlled switch that has been set to a device address corresponding to one of the device addresses in the set of device addresses (see col. 4 lines 4-13, “house code”).

Regarding claim 7

Belliveau teaches the home electronic devices include at least one of a television, a stereo, a video cassette recorder, a video cassette player, a digital video disc player, a digital video disc recorder, a satellite television controller, a cable television controller, digital recorder and playback

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devices, a phonograph, and a pre-recorded audio/video playback device (see col. 1 lines 29-35).

Regarding claim 8

Bellevau teaches the plurality of mode selector buttons corresponds to at least one of the home electronic devices (see col. 3 line 64 to col. 4 line 3, “1 through 16”).

Regarding claim 9

Bellevau teaches the plurality of feature control buttons selectively control a plurality of controllable features associated with each of the home electronic devices (see col. 3 line 64 to col. 4 line 3, “DIM, BRIGHT ...”).

9. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,331,813 (“Belliveau”) in view U.S. Patent No. 4,200,862 (“Campbell”) and further in view of U.S. Patent No. 5,898,397 (“Murray”).

Regarding claim 10

Bellevau and Campbell do not specifically teach one of the plurality of remotely controlled switches is configured to connect to a garage door controller device, such that the hand-held remote transmitter is operable to open and close a garage door.

However, Murray teaches a remote control transmitter in a home automation system that transmits a coded signal for actuating a device connected to a remote receiver such as opening doors, gates, or garage doors (see col. 9 lines 42-52, “... open a garage door ...”) for the purpose of eliminating the need of providing two separate types of transmitters (see col. 2 line 58 to col. 3 line 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the transmitter for open doors of Murray with the system of Belleveau because it would provide for the purpose of eliminating the need of providing two separate types of transmitters.

Regarding claim 11

Belleveau and Campbell do not specifically teach one of the plurality of remotely controlled switches is configured to connect to a gate door controller device, such that the hand-held remote transmitter is operable to open and close a gate door.

However, Murray teaches a remote control transmitter in a home automation system that transmits a coded signal for actuating a device connected to a remote receiver such as opening doors, gates, or garage doors (see col. 9 lines 42-52, "... open ... door ... door lock, etc.") for the purpose of eliminating the need of providing two separate types of transmitters (see col. 2 line 58 to col. 3 line 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the transmitter for open doors of Murray with the system of Belleveau because it would provide for the purpose of eliminating the need of providing two separate types of transmitters.

10. Claims 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,331,813 ("Belliveau") and in view of U.S. Patent No. 6,532,152 ("White") and further in view of U.S. Patent No. 4,200,862 ("Campbell").

Regarding claim 12

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Belliveau teaches a home automation system comprising:

- a messenger hub having a power input portion and a controller (see FIG. 2 and col. 3 line 64 “control device 200”), the power input portion of the messenger hub including a pair of terminals that are adapted for coupling to an electrical power line (FIG. 2 and col. 3 lines 66-67, “plug 202”), the controller of the messenger hub being configured to selectively generate an electronic message that is transmitted through the electrical power line (see col. 2 lines 7-20, “The power line may supply a primary signal ... The control device ... to a first power outlet ... first lighting device ... to a second power outlet ...”); and
- a remotely controlled switch having a power input portion, a power output portion, a controller and a housing (see FIG. 1 and 57-63, “appliance device 100” having “plug 108”), the power input portion of the remotely controlled switch including a pair of terminals (“plug 108”) that are adapted for coupling to an electrical power line and receiving the electronic message, the controller of the remotely controlled switch being coupled to the power input portion of the remotely controlled switch and configured to selectively enable or disable transmission of electrical power between the power input portion of the remotely controlled switch and the power output portion in response to the electronic message (see col. 4 lines 4-24, “... a plurality of appliances connected to a power line 310 ...”).

Belliveau does not specifically teach an outdoor switch (electronic device) that includes a sealed housing could be use outdoor; and wherein the controller address and device address of the outdoor switch are programmed by the electronic message.

However, White teaches a rugged handheld electronic device that includes a sealing engagement being provided by a gasket or seal (see col. 15 lines 2-6) for the purpose of protecting the interior components from moisture or other environmental contaminants such as dust and debris (see col. 13 lines 24-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a sealing engagement on an electronic device of White with the system of Belliveau because it would provide for the purpose of protecting the interior components from moisture or other environmental contaminants such as dust and debris.

Furthermore, Campbell discloses a home automation system that control a variety of appliances, lighting and other equipment in a home by transmitting signal over a power line network (see abstract and FIG. 1). A transmitter (messenger hub) programmed the slave unit (receiver) with an address represents a device and an address represents of a controller (house code) in order to operate a device (see col. 2 lines 41-51, "... the unit comprising means for receiving a signal defining a slave unit address and an appliance operation ...) for the purpose of controlling the control device in dependence upon the defined appliance operation when correspondence of addresses is found (see col. 3 lines 15-18). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the transmitter for programming the slave units to control a home device of Campbell with the system of Belliveau because it would provide for the purpose of controlling the control device in dependence upon the defined appliance operation when correspondence of addresses is found.

Regarding claim 13

White teaches the housing is unitarily formed (see FIG. 2).

Regarding claim 14

White teaches the housing includes an overmold that forms a seal about an exterior surface of the housing (see FIG. 5, 6A and 6B).

Regarding claim 15

Campbell teaches the power input portion includes a length of electrical cord that space the pair of terminals apart from the housing (see FIG. 1, “transmitter 1” with terminal 13 includes a cord that space apart from the housing).

Regarding claim 16

Campbell teaches the power output portion includes a length of electrical cord that space a pair of female thermals apart from the housing (see FIG. 1, “slave units 3” includes a cord from the power output portion to the TV 19 that space apart from the housing).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to home automation system in general:

USPN 5,579,221 to Mun;

USPN 5,706,191 to Bassett et al.;

USPN 5,905,442 to Mosebrook et al.;

USPAN 2005/0162273 to Yoon et al.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (571) 272-3689, Monday - Thursday from 6:30 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (571) 272-3687.

Any response to this office action should be mailed to: **Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450**. Responses may also be faxed to the **official fax number (571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas Pham
Patent Examiner

A handwritten signature in black ink, appearing to read 'T. Pham', with a stylized flourish at the end.

October 31, 2005